

REMARKS

In accordance with the Examiner's suggestion in the telephonic interview between the undersigned attorney and the Examiner on October 19, 2005, claim 8, the sole independent claim in the application, has been amended to more particularly point out the distinctions between the present invention and the systems disclosed in the Rosser and Bedard references.

Claim 8 has been amended to include the limitation of "... means for allowing a user to view the descriptive and time/channel data and to select one channel for viewing from said timetable file". It is respectfully submitted that this corresponds to the Examiner's suggestion in that interview of amending the claim to more specifically describe the claimed "timetable file," where the "timetable file" is a "TV guide for PTV Clients". While the specification of the present application uses the term "TV guide" at page 7 to describe the timetable file, in view of the well-known trademark TV GUIDE, it may be desirable to avoid using that phrase as a generic term in the claim.

Introducing the limitation of "means for allowing a user to view the descriptive and time/channel data and to select one channel for viewing from said timetable file" makes it clear that the timetable file is acting as a TV guide for the PTV Clients. This is in addition to the function of the timetable channel acting to control the substitution of selected commercials from the storage means for commercials transmitted with the program material on the channel selected by the user for viewing. It is respectfully submitted that it is this dual purpose performed by the descriptive and time/channel data forming part of the timetable file which distinguishes it from any reasonable combination of the cited references.

While the Bedard patent discloses an electronic program guide which allows a viewer to select a channel for viewing using the timetable file, and the Rosser patent discloses the concept

of substituting alternative program elements from those transmitted on the primary channel, neither patent suggests the use of a timetable file to act as a source of information for both allowing the user to select a file for viewing and to control the substitution of alternative elements in the primary program.

A review of the two references separately would not suggest their combination in the manner defined in the claims as amended. It is accordingly respectfully submitted that the amended claims define patentably over the cited art and reconsideration and allowance are accordingly respectfully solicited.

Respectfully submitted,



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